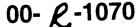
00- <i>E</i> -1070	First R.	First Reading	FINAL COUNCIL ACTION
(Do Not Write Above This Line)	Date Chair C Tr Mank		□2nd □1st & 2nd □3rd Readings
	Committee	Committee	団Consent 団V Vote □RC Vote
A RESOLUTION	" "	Date	CERTIFIED
BY THE PUBLIC SAFETY AND LEGAL	C, T. Mush	Chair	
ADMINISTRATION COMMITTEE	Action:	Action:	
A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS RESULTING	ray, Auv, now (see rev. sne) Other:	rav, Adv, nokd (see rev. skde) Other:	
FROM THE CASE OF JAMES SCOTT BERNE v. CITY OF ATLANTA, GEORGIA, ET AL.,	O Chambers - C	Members	
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, ATT ANT A DIVISION CIVIL ACTION FILE.			
NO. 1-98CV80-CC, FOR \$45,000;	1		
AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.	Refer To	Refer To	
Approved:	Committee	Committee	
Deputy City Attorney	Date	Date	(Too 2 / 2003)
	Chair	Chair	MUNICIPAL CLERK
ロ ADVEHIISE & HEFEH ロ 1st ADOPT 2nd READ & BIEHEは7 2000 ロ PERSONAL PAPER REFER	Action: Fav. Adv. Hold (see rev. side)	Action: Fav. Adv. Hold (see rev. side)	
Date Referred COUNCIL	Other:	Other:	MAYOH'S ACTION
Referred To:	Members	Members	A D B G A A
Date Referred			0002 9 6 IIII
Referred To:			WITHOLIT SIGNATIONS
Date Referred			BY OPERATION OF LAW
Referred To:			



A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS RESULTING FROM THE CASE OF <u>JAMES SCOTT BERNE v.CITY OF ATLANTA</u>, GEORGIA, ET AL., UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, CIVIL ACTION FILE NO. 1-98CV80-CC, FOR \$45,000; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, James Scott Berne v. City of Atlanta, Georgia, et al., United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1-98CV80-CC, is a case in which the City of Atlanta and Officer G.W. Garrison are named as Defendants;

WHEREAS, Officer G.W. Garrison is employed by the City of Atlanta Police Department;

WHEREAS, the Plaintiffs allege that the City of Atlanta and Officer G.W. Garrison violated his constitutional rights when he was struck by one of three bullets fired by Officer G.W. Garrison at the automobile driven by Scott Berne.

WHEREAS, the Plaintiffs and their counsel have agreed to accept \$45,000 in settlement of all claims against the City of Atlanta;

WHEREAS, the City Attorney has done an extensive review of the facts and law and has determined that the City's potential financial exposure is far in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to resolve this matter and recommends that the City pay the amount of \$45,000 to settle all claims,

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of <u>James Scott Berne v. City of Atlanta, Georgia, et al.</u>, for the sum of Forty Five Thousand Dollars (\$45,000).

SECTION 2. The Chief Financial Officer is authorized to pay a total sum of \$45,000 to the Plaintiff and his attorney, Jeffrey J. Dean, in this case, from Account No. 1A101-529017-T31001.

A true copy,

Chanda Dauphen g

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JULY 17, 2000

JULY 26, 2000